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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, )  
10 v. ) 2:12-CR-305-JCM-(PAL)  
11 AARON AGUIAR-GARCIA, )  
12 Defendant. )

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on December 10, 2012, defendant AARON AGUIAR-GARCIA pled  
15 guilty to Count One of a One-Count Criminal Indictment charging him with Illegal Alien in  
16 Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(5)(A). Criminal  
17 Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 17; Plea Memorandum, ECF No. 18.

18 This Court finds defendant AARON AGUIAR-GARCIA agreed to the forfeiture of the  
19 property set forth in Forfeiture Allegation of the Criminal Indictment and Plea Agreement. Criminal  
20 Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 17; Plea Memorandum, ECF No. 18.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
22 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal  
23 Indictment and the offense to which defendant AARON AGUIAR-GARCIA pled guilty.

24 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
25 924(d)(1) and Title 28, United States Code, Section 2461(c):

26 . . .

- 1           1.     Smith & Wesson .40 caliber semi-automatic handgun bearing serial number
- 2                 SW30VE; and
- 3           2.     any and all ammunition (“property”).

4           This Court finds the United States of America is now entitled to, and should, reduce the  
5   aforementioned property to the possession of the United States of America.

6           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7   United States of America should seize the aforementioned property.

8           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9   AARON AGUIAR-GARCIA in the aforementioned property is forfeited and is vested in the United  
10   States of America and shall be safely held by the United States of America until further order of the  
11   Court.

12          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
13   shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
14   website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
15   the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
16   the name and contact information for the government attorney to be served with the petition,  
17   pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
19   with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

20          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
21   shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the  
22   following address at the time of filing:

23                 MICHAEL A. HUMPHREYS  
24                 Assistant United States Attorney  
25                 Daniel D. HOLLINGSWORTH  
26                 Assistant United States Attorney  
                  Lloyd D. George United States Courthouse  
                  333 Las Vegas Boulevard South, Suite 5000  
                  Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED January 16, 2013.

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9 UNITED STATES DISTRICT JUDGE  
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Electronic Filing  
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Raquel\_Lazo@fd.org  
Counsel for Aaron Aguiar-Garcia

/s/HeidiLSkillin  
 HEIDI L. SKILLIN  
 Forfeiture Support Associate Data Analyst